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P.O. Box 14300, Washington, DC 20044-4300 • p202 624-2500 • f202 628-8844  
Courier Address: 1001 Pennsylvania Avenue, NW, Washington, DC 20004-2595**FACSIMILE COVER PAGE**

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Date: May 13, 2003

To: Examiner Eric M. WILLIAMS

Firm: U.S. Patent and Trademark Office

Facsimile Telephone Number: (703) 305-7687

Total Number of Pages (Includes Cover Sheet): 5

From: Song Zhu, Ph.D.

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CAM Number: 038769.50357US

User ID: 1350

Message: Re: Serial No. 09/940,519

Please see attached Amendment After Final.

Hard Copy to Follow: ☐ Yes ☒ No

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MAY 14 2003

GROUP 3600

Attorney Docket: 280/50857  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: XIAOMING GU  
Serial No.: 09/940,519 Group Art Unit: 3681  
Filed: AUGUST 29, 2001 Examiner: Eric M. WILLIAMS  
Title: WET MULTIPLATE CLUTCH

CERTIFICATE OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that an original of this Amendment After Final is being faxed to Examiner Eric M. WILLIAMS at the United States Patent and Trademark Office (fax number: 703.805.7687) on May 13, 2003.

  
Terri L. McMillan-Solomon

AMENDMENT AFTER FINAL

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following remarks are respectfully submitted in response to the Office Action dated March 13, 2003.

In the Office Action, claims 3 and 7 were rejected under 35 U.S.C. §102(b) as being anticipated by Bauer (U.S. Patent 5,934,435). For the following reasons, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Applicant believes that a review of the background of the invention is helpful before the rejection is addressed. As described in the specification (page 1, line 8 to page 2, line 20), a typical clutch includes a clutch case and a hub, which can rotate

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relative to each other. The clutch may also include separator plates and friction plates, wherein the separator plates are rotatably fixed (via splines, for example) to one of the clutch case and hub, and the friction plates are rotatably fixed to the other of the clutch case and hub. Each friction plate includes frictional materials attached to the plate's contact surfaces, and the contact surfaces of each separator plate are free of frictional materials.

The friction plates and separator plates can rotate relative to each other when they are not engaged, i.e. when they are not compressed against one another by an axial force. As a result, the clutch case and hub can also rotate relative to each other. When the friction plates and separator plates are engaged, the clutch case and hub cannot rotate relative to each other.

The embodiments shown in Figures 1, 2 and 4 of the present invention are similar to the above-described clutch, wherein the separator plates (11 and 12) are rotatably fixed to the clutch case (2) via splines, while the friction plates (5) are rotatably fixed to the clutch hub (3) via splines. So is the embodiment shown in Figure 9 of Bauer, wherein the friction plate assemblies (76) are splined to the hub, and the separator assemblies (83) are splined to the case.

Turning to the claimed clutch of the present application, Applicant respectfully submits that Bauer does not teach or suggest several features of the claimed clutch. For example, claim 7 recites a clutch that includes groove free separator plates, wherein the separate plates between two friction plates arranged adjacent to each other are disposed separately from each other. The specification defines the term "separably" to mean "not only that the individual separator plates can completely separate from each other and can freely move but also that, even

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when each two mutually adjacent separator plates are adhered and fixed with each other with a thin member interposed therebetween, the separator plates can slightly move in an axial direction owing to elasticity of the thin member and/or an adhesive" (page 6, lines 8-14). Bauer does not teach or suggest groove-free separator plates or separately disposed separator plates between two friction plates arranged adjacent to each other.

According to the Office Action, however, the plates (84 and 85) of the separator assemblies (83) shown in Figure 9 of Bauer are groove free. Applicant respectfully disagrees. Applicant's counsel has carefully reviewed Bauer but could not find any disclosure to that effect.

Additionally, according to the Office Action, the plates (84 and 85) shown in Figure 9 of Bauer are disposed separately from each other. Applicant respectfully disagrees. Applicant's counsel has carefully reviewed Bauer but could not find any disclosure that the plates (84 and 85) of the separator assemblies (83) are disposed separately from each other, as defined in the specification.

If this rejection is maintained in the next Office Action, Applicant respectfully requests that the Examiner specifically point out where in the cited reference groove-free, separately disposed separator plates are disclosed, so that Applicant can prepare a suitable response.

Because Bauer does not disclose the above-discussed two limitations of claim 7, claim 7 is not anticipated by Bauer. Claim 3 is also not anticipated because it depends from claim 7.

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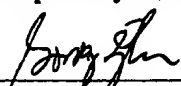
Claims 4 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bauer in view of Avers (U.S. Patent 5,788,035). Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bauer in view of JP40-5231443A. The propriety of these rejections depends on the propriety of the rejection under 35 U.S.C. §102(b). Because the rejection under 35 U.S.C. §102(b) is improper, these two rejections are also improper. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections.

In light of the foregoing remarks, this application is considered to be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #280/50357).

Respectfully submitted,

May 13, 2003

  
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